

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Michael Hudgens,

Plaintiff,

v.

Carolyn W. Colvin, Acting Commissioner
of Social Security,

Defendant.

Civil Action No. 6:13-3108-TMC

ORDER

Plaintiff, Michael Hudgens, proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 405(g) and 1383(c)(3), seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying his claim for Disability Insurance Benefits (“DIB”) and Supplemental Security Income (“SSI”) under the Social Security Act (“SSA”). (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that this court affirm the Commissioner’s decision to deny DIB and SSI.¹ (ECF No. 36).²

Hudgens’s objections fail to address any specific, dispositive portion of the Report. The objections are non-specific, unrelated to the dispositive portions of the Report or merely restate

¹ The magistrate judge’s recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

² The parties were advised of their right to file objections to the Report. (ECF No. 36 at 11). The court issued a previous order adopting the Report when no objections were filed to the Report during the fourteen day period required to file objections. (ECF No. 38). Thereafter, the court received notice from Hudgens that he had not received the Report. (ECF No. 41). The court confirmed that the Report had not been mailed. The court then vacated its previous order, mailed him a copy of the Report, extended the period to object an additional fourteen days from the mailing of the Report, and reopened his case. (ECF No. 42, 48). The court has now received Hudgens’s objections. (ECF No. 45).

his claims. The court has thoroughly reviewed the Report and Hudgens's objections and finds no reason to deviate from the Report's recommended disposition. Therefore, the court adopts the Report and its recommended disposition. Accordingly, the Commissioner's final decision is **AFFIRMED.**

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

Anderson, South Carolina
January 29, 2015